

REMARKS

The specification has been amended to correct errors in identifying the "outer coat 3" and "gel substance 4" on page 25 of the specification of the present application.

Claims 7 and 10 are objected to because on line 2 of the claims, "be" should be --is--. Claims 7 and 10 have been amended to correct the informality. Removal of the objection to the claims is in order.

Claims 1 to 4, 11 to 13 and 15 to 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Jolly et al. (U.S. Patent No. 6,158,910; hereinafter "Jolly"). Claims 14 and 18 to 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jolly.

Referring to the 35 U.S.C. § 102 rejection as it applies to claims 1 and 2, the Office appears to be interpreting the limitation recited in claims 1 and 2 of a gel "capable of preserving its own shape" as reading on the MR gel disclosed in Jolly which preserves its own shape when subjected to magnetic flux. To avoid such an interpretation, claims 1 and 2 have been amended to include the recitation that the gel is capable of preserving its own shape "without the application of external forces thereto". The amendment is supported by the last paragraph of page 5 of the specification of the present application ("a gel

substance...which itself is formed so as to preserve its own shape").

The amendment to claims 1 and 2 overcomes the 35 U.S.C. 102(b) rejections of claims 1 and 2 (claims 1 and 2 are not rejected under 35 U.S.C. 103(a)) and places claims 1 and 2 in condition for allowance. The remaining rejected claims, claims 3, 4 and 11 to 20, depend either directly or indirectly on claim 2 and are *prima facie* patentable.

Removal of the 35 U.S.C. 102(b) and 103(a) rejections of the claims is believed to be in order and is respectfully requested.

Applicants note with appreciation the indication of the allowability of claims 5 to 10 if rewritten in independent form. However, the present amendments to claims 1 and 2 are believed to place the application in condition for allowance and rewriting claims 5 to 10 in independent form is not required for an allowance.

The foregoing is believed to be a complete and proper response to the Office Action dated November 18, 2005, and is believed to place this application in condition for allowance. If, however, minor issues remain that can be resolved by means of a telephone interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number indicated below.

PATENT APPLN. NO. 10/770,125  
RESPONSE UNDER 37 C.F.R. §1.111

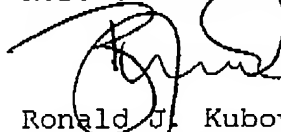
**PATENT  
NON-FINAL**

In the event that this paper is not considered to be timely filed, applicants hereby petition for an appropriate extension of time. The fee for any such extension may be charged to our Deposit Account No. 111833.

In the event any additional fees are required, please also charge our Deposit Account No. 111833.

Respectfully submitted,

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